

**CITY OF TAKOMA PARK, MARYLAND
PRESENTATION, REGULAR MEETING AND WORKSESSION
OF THE CITY COUNCIL
(Adopted September 26, 2005)**

Monday, July 25, 2005

OFFICIALS PRESENT:

Mayor Porter
Councilmember Austin-Lane
Councilmember Ritzo
Councilmember Seamens
Councilmember Williams
Deputy City Manager Hobbs

City Clerk Carpenter
Library Director Arnold-Robbins
Chief of Police Creamer
Recreation Director Haiduven
ECD Director Daines
City Manager Matthews

OFFICIALS ABSENT:

Councilmember Barry
Councilmember Elrich

A reception was held at 7:00 p.m. to give residents of Ward 2 and others the opportunity to greet Marie Ritzo as the newly appointed Ward 2 Councilmember, and to thank Heather Mizeur for her service.

SWEARING-IN OF NEW WARD 2 CITY COUNCILMEMBER - MARIE RITZO

Mayor Porter thanked Councilmember Mizeur for her contributions. She commented that people will remember the impact that she had.

Councilmember Williams stated that he will miss his cohort on the gay/lesbian caucus; her contributions on all levels are appreciated.

Councilmember Seamens commented on how struck he was to watch how well she worked with her constituents.

Ms. Mizeur stated that she will still be sitting out here every Monday night, working with Councilmember Ritzo on a seamless transition. This has been bittersweet, since she has settled into a new home. Ms. Mizeur didn't anticipate this, responded to the situation. She believes Ward 2 will be very happy having Councilmember Ritzo represent them.

Mayor Porter administered the oath of office to Councilmember Marie Ritzo.

The City Council convened at 7:38 p.m. in the Municipal Building Council Chambers, 7500 Maple Avenue, Takoma Park, MD.

Councilmember Ritzo thanked Council and staff, RinoAldrighetti and Carol Stewart, and Norm Gleichman, her husband.

The agenda was reordered.

2. Resolution re: Annie Cotton

A resolution honoring the contributions of Crossing Guard Annie Cotton was moved by Seamens, seconded by Williams for approval.

Councilmember Seamens noted with deep regret the passing of Crossing Guard Annie Cotton. Ms. Cotton would wave and smile and a lot of children and parents will be stunned to find that she is not here. Mr. Seamens said he lost his mother this year, in April, and has strong feelings of empathy. Ms. Cotton's family can feel very proud of her position and the respect she had.

Councilmember Williams stated that it was a great pleasure to see her almost every day, always waving, recognized that she not only had an effect on the kids, but on the bus drivers as well. She was the boss of that intersection. She could wield her body, her whistle, you knew you better obey.

Councilmember Austin-Lane said she regrets this loss that the City is recognizing today. Residents were moved by her service and now, her passing. Councilmember Austin-Lane said she felt honored to be at the funeral service. She said she hopes the family knows how strongly the City feels about the Crossing Guards and Ms. Annie.

A member of the Cotton family thanked the City and the Police Department.

Resolution 2005-60 was adopted, honoring the contributions of Annie Cotton as a crossing guard (VOTING FOR: Porter, Austin-Lane, Seamens, Ritzo, Williams; ABSENT: Elrich, Barry).

Mayor Porter made the presentation to the family.

RESOLUTION 2005-60 (Attached)

COUNCIL COMMENTS

Councilmember Austin-Lane commented on the urgency of putting a sidewalk through the Community Center parking lot.

ADOPTION OF MINUTES: May 26, 2005 and May 31, 2005

Councilmember Seamens noted that minutes are due within five weeks of the meetings.

Motion by Councilmember Seamens; second by Councilmember Williams to approve the minutes. (VOTING FOR: Porter, Austin-Lane, Seamens, Ritzo, Williams; ABSENT: Elrich, Barry).

PUBLIC COMMENT PERIOD

Seth Grimes, Willow Avenue, noted that the police staffing issue is on the agenda. He thanked the Council for getting the discussion on the agenda so quickly and said he hopes the instant runoff voting item is rescheduled soon. (Statement attached)

Carol Whittam, TP Singers, requested the Council to consider waiving the building use fee for the singers' weekly meeting from September to June. She mentioned that 1/3 of the members are residents of Takoma Park and that they have a 35 year relationship with the City.

Jai Pasha, Park Ritchie, informed the Council that they have been suffering from lack of air conditioning and heat in their building. She asked if any law is needed to help them with this problem.

Councilmember Seamens commented that excessive heat in those apartments has occurred in the past and that Southern Management has provided window air conditioning for those units. He asked City Manager Matthews to look into the matter.

Rino Aldrighetti, 7213 Central Avenue, thanked Councilmember Mizeur for her time and congratulated the Council on a good pick and the right pick in Councilmember Ritzo. He commented on the cost of the Community Center.

Ahmed Martinez, commented about procedure.

PRESENTATION

1. Update on the Community Center Construction Project

Ms. Matthews reported that TRG appears to be the low bidder and that they have been advised about the likely schedule. She anticipates a single reading ordinance. They have spoken about Bid Alternate Number 5 which needs further clarification. If it is still outstanding, they will put language into the contract providing for additional time for the issue to be resolved. TRG was asked about their timeframe for mobilization and they have indicated they can begin in two weeks.

Councilmember Seamens asked about cleaning requirements for the proposed kitchen as it needs to be kept clean and sanitary at all times.

Ms. Matthews indicated that Public Works anticipates that it would take some additional time to keep the kitchen clean. The City would be subject to periodic inspections from the health

department.

Mr. Seamens asked about special considerations and would we need a certified food preparation specialist.

Ms. Haiduven explains that we are not preparing it. The kitchen will contain a convection warming oven, refrigerator that cools to 45 degrees, and a freezer and is not meant for preparing food.

Councilmember Seamens then stated that his recollection was that staff was talking about a \$100,000 shortfall that could be found in some of the reduced health insurance premiums.

Ms. Matthews reported that Councilmember Elrich had asked her to review the scope of services, share it with the City Engineer, and discuss it with the gentlemen who submitted the proposal. They looking to see where utilities are in the area, but is not sufficient for design. There is an expectation that the city has already conducted certain surveying work. The architect will confirm that they have the survey and that it is in a form they can use. This may be an additional cost.

Councilmember Seamens asked if the area includes the area for the gym, and also the area behind the Municipal Building where they had contemplated parking.

Ms. Matthews stated that it may involve a broader scope. The majority of cost is attributable to mobilization. If Council chooses to proceed, it may be more cost effective to have additional borings.

Councilmember Williams said his question for the progress meeting for the following day is what is the next step for dealing with the roof gap.

Councilmember Williams stated that it will take six months for the CPL contractor. He expects a mid-March completion. The intent is to unveil the building as it is used, and to highlight some of the potential uses of the building. There can be a rededication when the building is complete.

3. 2nd Reading Ordinance re: Amendment to City Code, Chapter 8.12. - Peddlers and Transient Merchants (including Canvassers).

Motion by Williams, second by Austin-Lane.

Mayor Porter states that the Council has made a commitment to take up transient merchant issue as soon as they can in the fall.

Ms. Matthews reports that she e-mailed Mr. Erwin Mack about his concerns and will be meeting with him in the near future.

Ordinance 2005 - 22 was adopted at second reading, approving the amendment to City Code, Chapter 8.12 - Peddlers and Transient Merchants, including Canvassers, (VOTING FOR: Porter, Austin-Lane, Seamens, Ritzo, Williams; ABSENT: Elrich, Barry).

ORDINANCE 2005-22
(Attached)

4. 2nd Reading Ordinance re: Edinburgh House (Payment in Lieu of Taxes) PILOT Agreement

Ms. Daines reports that if approved, this would give 50% reduction of property taxes for the first five years.

Motion by Seamens; second by Williams.

Ordinance 2005 - 23 was adopted at second reading approving the authorization of Edinburgh House PILOT (Payment in Lieu of Taxes) Agreement (VOTING FOR: Porter, Austin-Lane, Seamens, Ritzo, Williams; ABSENT: Elrich, Barry).

ORDINANCE 2005-23
(Attached)

5. 2nd Reading Ordinance authorizing the Purchase of Furniture and Equipment for the Community Center

Ms. Haiduven comments on the hard work and generosity of the Takoma Foundation to raise funds to furnish the community center.

Bruce Baker, Treasurer of the Takoma Foundation - 301 Hilltop, reports that he met with Ms. Haiduven and Ms. Rebecca Brown of the Library to go over some of the purchasing requirements. The Foundation Board has approved and submitted it to the Montgomery County Foundation. A check to be forthcoming and receipts and invoices will go to them.

Mayor Porter thanks Mr. Baker and the Takoma Foundation for providing the vast majority of the funds for this purchase.

Motion by Austin-Lane; second by Williams.

Councilmember Seamens thanked the Takoma Foundation and residents. He says should take into account the concern about security and safeguarding

Andy Kelemen, Philadelphia Avenue, asks if the Useful stations and other items include maintenance and is there a budget for the maintenance cost for these item, and what is the replacement cycle.

Ms. Haiduven responded.

Ordinance 2005 - 24 was adopted at second reading Authorizing the Purchase of Furniture and Equipment for the Community Center (VOTING FOR: Porter, Austin-Lane, Seamens, Ritzo, Williams; ABSENT: Elrich, Barry).

**Ordinance 2005-24
(Attached)**

6. CONSENT AGENDA

A. Resolution 2005-61 Providing for Appointments to the Arts and Humanities Commission

**Resolution 2005-61
(Attached)**

B. Resolution Providing for Appointments to the Committee on the Environment

**Resolution 2005-62
(Attached)**

C. Resolution Providing for Appointment of Historic Takoma, Inc. Representative and Alternate to the Facade Advisory Board

**Resolution 2005-63
(Attached)**

D. Resolution Setting Forth Council's 2005 Summer Recess

**Resolution 2005-64
(Attached)**

Motion by Williams; second by Seamens.

Resolution to adopt the Consent Agenda adopted (VOTING FOR: Porter, Austin-Lane, Ritzo, Seamens, Williams).

WORKSESSION

6. Community Center Public Art Policy

Alice Sims, states that the Arts and Humanities Commission is asking for preliminary approval to start to work on an exhibit for the opening of the Community Center. The budget would be

not more than \$200 to hang up the artwork.

The Council consensus is that the Arts and Humanities Commission should go ahead and call for entries.

8. Community Center Use and Rental Policies

Ms. Matthews reports that at the initial worksession discussion on May 26, Council agreed at that time that community use is a guiding function. Council had agreed to offer certain groups nine rentals per year, but who qualifies for that? She was to bring back a recommendation and staff has gathered information. They had found that the vast majority charge something for all rentals. The definition of community groups are: recognized tenants, condos, neighborhood association groups, etc. Initial consideration is that the organization would provide the Recreation Department with a list of members and provide us with a statement of activities that benefitted the City or the community.

Mayor Porter states that nine users will cover most of the groups. She would like to figure out a way to accommodate city entities. Nine times a year is sufficient for most community groups.

Council discusses in detail the various entities that will need to deal with their meetings, such as the non-profit residents, the Folk Festival Committee, the Independence Day Committee, Takoma Park Singers, etc. The language of the policy was discussed as well.

BREAK

Council recessed for a scheduled break at 9:28 p.m. and reconvened at 10:10 p.m.

9. Police Department Staffing

Chief of Police Creamer reports that she has lost 13 officers from 2002, five to other departments, one termination, and one left police work, but they have hired eleven police officers. She goes on to give details regarding the Police Department's outreach efforts, salary and benefits that are being offered to applicants, and the current status of the police force and how they are dealing with the staff shortages.

Mr. Hobbs explains that they will be discussing a take home car policy with the union.

Councilmember Austin-Lane states that she continues to hear dissatisfaction from residents that are still not seeing enough police presence around the Metro. Chief Creamer then explains how patrol teams are staffed and of the overtime details going on in the Metro area.

10. Crossing Guard at Cedar/Philadelphia Avenue 2005/2006 School Year

Ms. Matthews reports that on April 18, Council directed to reassign the crossing guard to the

intersection. The issue is whether to continue and whether to fund additional crossing guards. Mayor Porter states that they are not seeing any opposition to continue the guard. It is the Council consensus to hire another guard, whether or not we get rebate.

11. City Manager's Quarterly Update

The City Manager begins her quarterly update with highlighted activities - working with data from quarterly report to include in the budget document and/or an annual report. Another part of the report is a very preliminary financial report. She shares the preliminary information and projections to include income tax receipts (higher than projected), rental housing license inspections - (the City has brought in \$284,000), and what accounts for the variance. Personal property tax and waste collection charges are a bit lower. Anticipated expenditures are less than budgeted and capital expenditures will come in higher than expected. She further reports that we are making further advances in street improvements.

ADJOURN

The meeting was adjourned at 11:42 p.m.